

<p>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address</p> <p>TODD A. FREALLY (State Bar No. 198780) CARMELA T. PAGAY (State Bar No. 195603) LEVENE, NEALE, BENDER, YOO &amp; BRILL L.L.P. 10250 Constellation Boulevard, Suite 1700 Los Angeles, California 90067 Telephone: (310) 229-1234 Facsimile: (310) 229-1244 Email: taf@lnbyb.com; ctp@lnbyb.com</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Jeremy W. Faith, Chapter 7 Trustee</p>		<p>FOR COURT USE ONLY</p>	
<p><b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - NORTHERN DIVISION</b></p>			
<p>In re: CORONA ELIAS,</p> <p>Debtor(s).</p>		<p>CASE NO.: 9:18-bk-10584-MB CHAPTER: 7</p>	
		<p><b>NOTICE OF SALE OF ESTATE PROPERTY</b></p>	

<b>Sale Date:</b> 06/09/2021	<b>Time:</b> 11:30 am
<b>Location:</b> United States Bankruptcy Court, Courtroom 201, 1415 State Street, Santa Barbara, California 93101	

**Type of Sale:** ☒ Public ☐ Private **Last date to file objections:** 06/02/2021

**Description of property to be sold:** 27850 Constanca Avenue, Atascadero, California 93422 (the "Property")

**Terms and conditions of sale:** \_\_\_\_\_

Condition of Property: Property purchased "as-is" without any representations or warranties of any kind

Broker's Commissions: Six percent (6%)

**Proposed sale price:** \$ 500,000.00

**Overbid procedure (if any):** See Proposed Overbidding Procedures attached as Exhibit 1 hereto.

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**If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:**

June 9, 2021

11:30 a.m.

U.S. Bankruptcy Court

Courtroom 201

1415 State Street

Santa Barbara, CA 92501

**Contact person for potential bidders (include name, address, telephone, fax and/or email address):**

Carmela T. Pagay, Esq.

Levene, Neale, Bender, Yoo & Brill L.L.P.

10250 Constellation Boulevard, Suite 1700

Los Angeles, CA 90012

Telephone: (310) 229-1234

Facsimile: (310) 229-1244

Email: ctp@lnbyb.com

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Date: 05/18/2021

## **EXHIBIT “1”**

**PROPOSED OVERBID PROCEDURES**

**FOR PURCHASE OF PROPERTY**

1. Anyone interested in submitting an overbid with respect to the purchase of the Property must attend the hearing on the Motion or be represented by an individual at the hearing (either in person or telephonically) with authority to participate in the overbid process.

2. An overbid will be defined as an initial bid of \$10,000 above the \$500,000 proposed purchase price or higher with each additional overbid to be in \$5,000 increments.

3. Overbidders (except for the Purchasers) must deliver a deposit to the Trustee's counsel by way of cashier's check made payable to "Jeremy W. Faith, Chapter 7 Trustee," in the amount of \$15,300 (the "Deposit") and proof of ability to close escrow unconditionally in a form acceptable to the Trustee no later than 7 calendar days prior to the hearing on the Motion.

4. Overbidders must purchase the Property on the same terms and conditions as the Purchasers.

5. The Deposit of the successful overbidder shall be forfeited if such party is thereafter unable to complete the purchase of the Property within 15 calendar days of entry of the order confirming the sale.

6. In the event the successful overbidder cannot timely complete the purchase of the Property, the Trustee shall be authorized to proceed with the sale to the next highest overbidder.

7. If there are any qualified overbidders, an auction of the Property shall be held during the hearing on the Motion (on **June 9, 2021, at 11:30 a.m.**) at which time the Court shall determine the highest and best bid for the Property.

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 10250 Constellation Boulevard, Suite 1700, Los Angeles, California 90067

A true and correct copy of the foregoing documents entitled **Notice of Sale of Estate Property** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **May 19, 2021**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Shraddha Bharatia on behalf of Creditor American Express National Bank  
notices@becket-lee.com

Shraddha Bharatia on behalf of Interested Party Courtesy NEF  
notices@becket-lee.com

Eric P Enciso on behalf of Creditor Deutsche Bank National Trust Company, as Indenture Trustee for American Home Mortgage Investment Trust 2005-1  
eenciso@rasflaw.com

Jeremy W. Faith (TR)  
Trustee@MarguliesFaithlaw.com,  
C118@ecfcbis.com;Helen@MarguliesFaithLaw.com;leedowding@gmail.com

Sean C Ferry on behalf of Creditor DEUTSCHE BANK NATIONAL TRUST COMPANY  
sferry@raslg.com, sferry@ecf.courtdrive.com

Sean C Ferry on behalf of Creditor Deutsche Bank National Trust Company, as Indenture Trustee for American Home Mortgage Investment Trust 2005-1  
sferry@raslg.com, sferry@ecf.courtdrive.com

Carmela Pagay on behalf of Plaintiff Jeremy W. Faith  
ctp@lnbyb.com

Carmela Pagay on behalf of Trustee Jeremy W. Faith (TR)  
ctp@lnbyb.com

Valerie Smith on behalf of Interested Party Courtesy NEF  
claims@recoverycorp.com

Vaughn C Taus on behalf of Debtor Corona Elias  
tauslawyer@gmail.com

Vaughn C Taus on behalf of Defendant Corona Elias  
tauslawyer@gmail.com

United States Trustee (ND)  
ustpregion16.nd.ecf@usdoj.gov

**2. SERVED BY UNITED STATES MAIL:** On **May 19, 2021**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and

addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor Corona Elias 7850 Constanca Street Atascadero, CA 92422	William Friedman Coldwell Banker Residential Brokerage 2444 Wilshire Blvd. # 102 Santa Monica, CA 90403	Charles Richardson, GRI Richardson Properties 735 Tank Farm Rd # 130 San Luis Obispo, CA 93401
Hon. Martin R. Barash United States Bankruptcy Court Central District of California 21041 Burbank Blvd. Suite 342 Woodland Hills, CA 91367		

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **May 19, 2021**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

<b>May 19, 2021</b>	John Berwick	/s/ John Berwick
<i>Date</i>	<i>Type Name</i>	<i>Signature</i>